

**Testimony Supporting [H.B. No. 5140](#) An Act Concerning the Use of Therapy Animals to Comfort Children Testifying in Certain Criminal Prosecutions**

Jill Fitzsimons-Bula, Resident of Plainville, CT

Committee on Children

February 16, 2016

Senator Bartolomeo, Representative Urban, and Distinguished Members of the Children's Committee,

Thank you for this opportunity to provide testimony in support of **H.B. No. 5140 An Act Concerning the Use of Therapy Animals to Comfort Children Testifying in Certain Criminal Prosecutions**. My name is Jill Fitzsimons-Bula and I am a resident of Plainville, CT. Having had eight years of experience working with child abuse victims and their non-offending caregivers, I strongly believe, that if passed, this bill will have a positive impact on our community.

**Therapy Animal Programs throughout the Nation**

Due to the stressful nature of having to testify in court, therapy animal programs have been gaining wide recognition by proving support to children throughout the nation. Currently, 29 States have **Court House Dog** programs; totaling 95 trained facility dogs.<sup>1</sup> The dogs are equipped to support children during forensic interviewing as well as providing accompaniment on the witness stand during a trial.<sup>1</sup>

In 2009, a children's Advocacy Center in Texas had such success with their therapy dog program that it created a snowball effect, and agencies from California, Colorado, Idaho, and Michigan jumped on board.<sup>2</sup>

**Best Practice**

It is important to refer to best practices within the field in order to achieve a valued outcome in the best interest of the community. Established in 2009, American Humane in cooperation with Delta society created the **Therapy Animals Supporting Kids (TASK) Program** which focuses on the use of therapy animals during court testimony.<sup>3</sup> In order to ensure proper training and credentialing of handlers, TASK recommends collaboration with a respected therapy animal organization within the community.<sup>3</sup> The **Court House Dog Foundation**, an organization with a similar purpose as TASK, further recommends that "only dogs professionally trained by service dog organizations accredited by the Assistance Dogs International (ADI) should accompany a witness into the courtroom".<sup>4</sup> It is not recommended that pet therapy dogs and volunteer handlers be utilized within the courtroom due to varying levels of training for dogs and handlers, time constraints, and liability.<sup>4</sup>

This bill is important as it seeks to provide emotional support to children during a very difficult time, and if such programs are utilized, a data collection system and quality improvement process should be implemented in order to measure outcomes of the intervention. This will help to promote best practice and ensure that the program is efficient and effective.

## One Family's Journey

With the permission of the family, I would like to share a story as it may help to create change in our criminal justice system. Imagine, a five year old kindergartener, gaining up enough courage to tell her mom that her stepfather has hurt her. The family's world is instantly turned upside down. They are brought to a child friendly center for support and to talk about what happened. They are faced with many life changes such as having to move and post-traumatic stress disorder. However, despite these challenges they keep pushing forward and are determined to create a new sense of normal. Time goes by, with ups and downs, and the case is set for trial. Now eight years old, it is time for the victim and victim's family to face their perpetrator for the first time in three years. Despite the countless hours of preparation with therapists, advocates, and loved ones, it is a frightening process and nothing can truly prepare an adult, let alone a child, to sit across from the father figure that caused so much pain. Due to sequestration, the child and family were not able to discuss what happened while testifying. It became evident that this brave eight year old, was trying to utilize the coping skills that were acquired over the past three years to get through the day, but all she wanted was to be with her mom and to be a kid. In cases such as this, courts and prosecutors from around the country have begun using service dogs, specifically trained, to support children whose testimony is crucial in the prosecution's case.<sup>1</sup> This not only can help the child remain calm and focused while delivering thorough testimony, it can minimize the risk of re-traumatizing a child when taking the witness stand.<sup>3</sup>

The sixth amendment of the constitution establishes rights "designated to make criminal prosecutions more accurate, fair, and legitimate".<sup>5</sup> It ensures the right for the accused "to be confronted with the witnesses against him or her". This makes it our duty to pass a bill, which is in the best interest of our children and will support them through the criminal court process.<sup>5</sup>

Thank you for your time and consideration on this important issue. I hope you join me in supporting H.B. No. 5140 along with the above mentioned recommendations.

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<sup>1</sup> Dellinger, Myanna F., *Using Dogs for Emotional Support of Testifying Victims of Crime* (April 13, 2009). *Animal Law Review*, Vol. 15, No, 2009. Available at SSRN: <http://ssrn.com/abstract=1673523>

<sup>2</sup> Cohen-Hart, Debra S., *Canines in the courtroom* (August, 2009). Available at [http://www.americanbar.org/newsletter/publications/gp\\_solo\\_magazine\\_home/gp\\_solo\\_magazine\\_index/canine\\_sincourtroom.html](http://www.americanbar.org/newsletter/publications/gp_solo_magazine_home/gp_solo_magazine_index/canine_sincourtroom.html)

<sup>3</sup> Phillips, Allie and McQuarrie, Diana, *Therapy Animals Supporting Kids (TASK) Program*. Available at <http://www.americanhumane.org/assets/pdfs/children/therapy-animals-supporting-kids.pdf>

<sup>4</sup> Courthouse Dog Foundation, (2014). Available at <http://courthousedogs.com/>

<sup>5</sup> Biba, Stephanos and Fisher, Jeffrey L., *Common Interpretation the sixth amendment*. Available at <http://constitutioncenter.org/interactive-constitution/amendments/amendment-vi>

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